REMARKS/ARGUMENTS

Claims 1-32 are pending. Claims 1, 15, and 19 have been amended. The amended claims are supported by the specification. No new matter has been added in the amended claims.

Claim Rejections - 35 U.S.C. § 102

Claims 1-11, 13-17, 19-22, and 24-32 were rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,859,173 to Spilker *et al.*, hereinafter Spilker. Reconsideration of the rejection and allowance of the claims are respectfully requested for the following reasons.

Claims 1-11, 13-14, and 31

Claim 1 recites, "performing a comparison of the first location information to the parameter information" and "based on said comparison, selectively obtaining second location information regarding said mobile unit from a second source different than said first source." The applicant respectfully submits that the cited reference does not teach or suggest at least this element of claim 1.

An embodiment of the present invention is directed to "allowing for more efficient use of resources for providing location information where multiple sources of such information may be available." (Specification at page 3, lines 16-18). "Invoking different location sources often entails consumption of different resources." (Specification at page 4, lines 14-15). Thus, one embodiment of the present invention initially uses a first source of location information that places a minimal burden on system resources and/or involves a short lag time. In some cases, these low burden information sources provide location information that is of low accuracy, but sufficient for a given application.

"The location information from the first source may also be used to determine not only if, but when the second source is invoked." Thus, a second source of location information, sometimes entailing a higher burden on system resources or longer lag times, may be subsequently invoked when a determination is made that more accurate location information is

necessary. (Specification at page 6, lines 1-5). "In this manner, the benefits of using a more accurate source of location information can be achieved without unnecessarily invoking such a source when lower resource or a faster response time information yields sufficient information for the purposes of the application under consideration." (Specification at page 25, lines 26-30). Accordingly, claim 1 recites, in part, "performing a comparison of the first location information to the parameter information [and] based on said comparison, selectively obtaining second location information regarding said mobile unit."

Spilker discusses determining a first pseudo-range using a broadcast television signal, determining a second pseudo-range using a mobile telephone signal, and determining a position of a user terminal based on the first and second pseudo-ranges. (Spilker at Abstract). "A user terminal using these techniques can determine its position using combinations of broadcast television signals and mobile telephone base station signals." (Spilker at col. 8, lines 20-24).

Nowhere does Spilker teach or suggest performing a comparison of the first location information to the parameter information [and] based on said comparison, selectively obtaining second location information regarding said mobile unit, as recited by claim 1. Thus, the cited reference does not provide the benefits available through embodiments of the present invention. Spilker appears to discuss a system that can augment position location using broadcast television signals with GPS signals, but not a system that can selectively obtain more accurate location information. (Spilker at col. 8, lines 27-31). Therefore, Spilker does not provide the benefits of the present invention, such as the capability of conserving resources when the first source of information using lower levels of system resources or a faster response time is sufficient for the purposes of the application under consideration. For at least these reasons, claim 1 is allowable over the cited reference.

Claims 2-11, 13-14, and 31 are dependent on claim 1 and should be allowable for at least similar reasons as discussed for claim 1 above. Furthermore, claims 2-11, 13-14, and 31 recite additional limitations and should be allowable for these additional reasons.

Claims 15-17 and 32

Claim 15 recites "performing a comparison to determine whether a location of said mobile unit as indicated by said monitored information satisfies a defined relationship relative to the parameter information; [and] based on said comparison, selectively obtaining second location information regarding said mobile unit from at least a second source different than said first source." The applicant respectfully submits that the cited reference does not teach or suggest at least this element of claim 15.

As discussed in relation to claim 1, Spilker does not teach or suggest the steps of performing a comparison and based on the comparison, selectively obtaining second location information. Spilker only discusses obtaining location information from multiple sources, not selectively obtaining second location information based on a comparison step. Therefore, Spilker does not provide the benefit or capability of conserving system resources as in the present invention. For at least these reasons, claim 15 is allowable over the cited reference.

Claims 16-17 and 32 are dependent on claim 15 and should be allowable for at least similar reasons as discussed for claim 15 above. Furthermore, claims 16-17 and 32 recite additional limitations and should be allowable for these additional reasons.

Claims 19-22

Claim 19 recites, "performing a comparison of the first location information to the parameter information; [and] based on said comparison, selectively obtaining second location information." The applicant respectfully submits that the cited reference does not teach or suggest at least this element of claim 19.

As discussed in relation to claim 1, Spilker does not teach or suggest the steps of performing a comparison and based on the comparison, selectively obtaining second location information. Therefore, Spilker does not provide the benefit or capability of conserving system resources as in the present invention. For at least these reasons, claim 19 is allowable over the cited reference.

Claims 20-22, are dependent on claim 19 and should be allowable for at least similar reasons as discussed for claim 19 above. Furthermore, claims 20-22 recite additional limitations and should be allowable for these additional reasons.

Claims 24-27

Claim 24 recites, in part, "receiving a first indication of a location of said first mobile unit at a first time; and based on said first information regarding said location of interest and said first indication regarding said first location of said first mobile unit at said first time, determining a timing for obtaining a second indication of a second location of said first mobile unit." The applicant respectfully submits that the cited reference does not teach or suggest at least this element of claim 24.

As discussed above, Spilker appears to discuss using multiple sources of location information, such as broadcast television signals, mobile telephone base station signals, and GPS signals, to determine a user terminal's position. (Spilker at col. 8, lines 35-38). However, none of Spilker's location determination methods teach or suggest determining a timing for obtaining a second indication of a second location based on the first information regarding the location of interest, as recited by claim 24. For at least these reasons, claim 24 is allowable over the cited reference.

Claims 25-27, are dependent on claim 24 and should be allowable for at least similar reasons as discussed for claim 24 above. Furthermore, claims 25-27 recite additional limitations and should be allowable for these additional reasons.

Claims 28-30

Claim 28 recites "providing an interface for use in obtaining location information from a first source and a second source, said first source having a first quality of service characteristic and said second source having a second quality of service characteristic; utilizing said first source to perform a first location operation to locate a first mobile unit; determining a required quality of service for said first location operation; and based on said required quality of service, selectively using said interface to obtain said location information from said second

source." The applicant respectfully submits that the cited reference does not teach or suggest at least this element of claim 28.

Spilker does not teach or suggest the steps of utilizing said first source to perform a first location operation to locate a first mobile unit, determining a required quality of service for said first location operation, and based on said required quality of service, selectively using said interface to obtain said location information from said second source. For example, Spilker provides no disclosure of selectively obtaining information from the second source based on the required quality of service. On the contrary, Spilker only appears to discuss that location information from multiple sources can be combined to determine a mobile unit's location. (Spilker at col. 8, lines 35-38).

Accordingly, Spilker fails to provide the benefits available through embodiments of the present invention as described above, including the capability of conserving system resources without unnecessarily invoking the second source when the first source yields sufficient information for the purposes of the application under consideration. For at least these reasons, claim 28 is allowable over the cited reference.

Claims 29-30, are dependent on claim 28 and should be allowable for at least similar reasons as discussed for claim 28 above. Furthermore, claims 29-30 recite additional limitations and should be allowable for these additional reasons.

Claims 12, 18, and 23

Claims 12, 18, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Spilker in view of U.S. Patent No. 6,324,404 to Dennison et al.

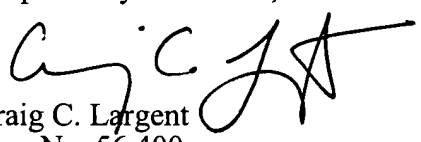
Claims 12, 18, and 23, which depend from claims 1, 15, and 19, respectively, are in a condition for allowance, for at least the reasons discussed in relation to claims 1, 15, and 19, as well as for the additional limitations they recite.

CONCLUSION

In view of the foregoing, applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal notice of allowance at an early date is respectfully requested.

If the examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400, extension 5518.

Respectfully submitted,



Craig C. Largent
Reg. No. 56,400

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
CCL:ka
60529053 v1